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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,910	06/29/2001	Edward Michael Silver	BS00-336	4940

38515 7590 06/29/2005

BAMBI FAIVRE WALTERS  
PO BOX 5743  
WILLIAMSBURG, VA 23188

EXAMINER

NGUYEN, QUYNH H

ART UNIT PAPER NUMBER

2642

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/893,910

Applicant(s)

SILVER ET AL.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/5/01</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 6-12, 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Foladare et al. (U.S. Patent 6,049,602).

Regarding claim 1, Foladare et al. teach the steps of: a telephone line (Fig. 1, 16) in communication with a telephone network (Fig. 1, PSTN 40); a display device associated with the telephone line (Fig. 1, 14); a communication link between the display and the computer network (Fig. 1, communication link 18 between display 14 and data network 28), wherein when a triggering event associated with the telephone line is detected (col. 2, lines 16-21 and col. 4, lines 58-60), contents of the source computer (merchant server 52) are displayed on the display device (computer 62) during a data session via the communication link (col. 4, lines 58-67).

Regarding claim 4, Foladare et al. teach a termination of the voice session ends the data session (col. 6, lines 59-61).

Regarding claims 6 and 7, Foladare et al. teach the telephone line is associated with one of a called party (Fig. 1, 64), a calling party (Fig. 1, 12), and a third party.

Regarding claims 8 and 10, Foladare et al. teach the telephone line facilitates at least one of a voice communication (Fig. 1 telephone 12 over voice communication link 16 and PTSN 40), a data communication, a wireless communication.

Regarding claims 9 and 20, Foladare et al. teach the communication link is one of a second telephone line, a digital subscriber line, a cable modem line, a T1 line, a T3 line, and an integrated services digital network line (col. 4, lines 20-23).

Claim 11 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Foladare et al. teach a network address of the source computer (col. 2, lines 54-56 and col. 4, lines 64-67 - e.g. Telnet).

Regarding claim 12, Foladare et al. teach the network address is an Internet protocol address (col. 4, lines 64-67).

Regarding claim 14, Foladare et al. teach the result of the associating step is stored in a database (Fig. 1, 46).

Regarding claims 15 and 16, Foladare et al. teach the triggering event comprises a telephone number of a calling party, a dial string generated by the equipment (col. 3, lines 55-60).

Regarding claim 17, Foladare et al. teach the telephone line comprises a voice communications connection and a data communications (Fig. 1, 10).

Regarding claim 18, Foladare et al. teach the source computer is associated with the party (Fig. 1, 10, server 44).

Regarding claim 19, Foladare et al. teach the source computer is associated with an entity other than the party (Fig. 1).

Regarding claim, Foladare et al. teach the

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable Foladare et al. (U.S. Patent 6,049,602).

Regarding claims 2 and 3, Foladare et al. do not explicitly teach the triggering event is detected before or after a voice session is established between a calling party and a called party. It would have been obvious to one of ordinary skill in the art at the time the invention was made that there are only two possibility to invoke the triggering event: before or after a voice session is established between a calling party and a called party; either case would work in Foladare's system. For example, the CSRs click telephone digits to remotely telephone calls and provide web page (col. 3, lines 55-67).

Regarding claim 5, Foladare et al. do not explicitly teach the data session continues after the voice session is terminated. It would have been obvious to one of ordinary skill in the art at the time the invention was made that the data session between computer 14 and 52 are over communication links 18 and 66 over data network, while the voice session between telephone 12 and 64 over communication links 16 and 68 over PSTN; therefore, if after the voice session is terminated

the data session still continues.

5. Claims 13, 21-36 are rejected under 35 U.S.C. 103(a) as being unpatentable Foladare et al. (U.S. Patent 6,049,602) in view of Greenberg (U.S. Patent 6,791,974).

Regarding claim 13, Foladare et al. do not teach the network address is an uniform resource locator.

Greenberg teaches the network address is an uniform resource locator (col. 2, lines 60-63 and col. 4, lines 11-20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that Web pages or Telnet or URL are ways to access the Internet.

Claims 21, 24 and 29 are rejected for the same reasons as discussed above with respect to claim 1. However, Foladare et al. do not teach a voice and data communications address associated with the user. Greenberg teaches using VoIP service to establish the correlation between a customer sessions on the airline's web page (col. 15, line 53 through col. 16, line 30).

Regarding claims 22, 23, and 34, Foladare et al. the equipment is adapted to collect digits dialed by the user (col. 2, lines 48-52).

Claims 24-27 are rejected for the same reasons as discussed above with respect to the first limitation of claims 11-13 and 18, respectively.

Regarding claims 28 and 35, Foladare et al. teach the source computer is associated with a third party unrelated to the voice session (Fig. 1, merchant server 52).

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Regarding claims 30 and 33, Foladare et al. teach the attempt is made by the user or a calling party other than the user (customer at station 10).

Regarding claim 31, Foladare et al. teach the dialed communications address comprises a telecommunications address of a called party (CSR station 60, telephone 64).

Regarding claim 32, Foladare et al. teach the source computer is associated with the called party (Fig. 1, call control server 44).

Regarding claim 36, Foladare et al. do not teach the voice communications connection comprises a wireless voice communications connection, and the data communications connection comprises a wireless data communications connection. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the wireless in Foladare's system in order to have a sufficient system that support both wire line and wireless communications since the trend of today communications are heading more and more toward wireless communications.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

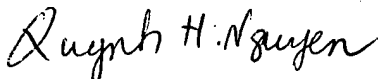
Bateman et al. (U.S. Patent 5,883,032) teach system for coordinating communications via customer contact channel changing system using call centre for setting up the call between customer and an available help agent.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Quynh H. Nguyen**  
**Patent Examiner**  
**Art Unit 2642**